Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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DRAFT AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("Department" or "MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:
Peabody Municipal Light Plant
201 Warren Street Extension
Peabody, MA 01960

INFORMATION RELIED UPON:
Approval No. MBR-95-OPP-005R
Transmittal No. X238345

FACILITY LOCATION:
Waters River Station
58 Rear Pulaski Street
Peabody, MA 01960

FACILITY IDENTIFYING NUMBERS:
AQ ID: 1190015
FMF FAC NO. 131118
FMF RO NO. 161682

NATURE OF BUSINESS:
Electrical generating facility

Standard Industrial Classification (SIC): 4911
North American Industrial Classification System (NAICS):

RESPONSIBLE OFFICIAL:
Name: Glenn Trueira
Title: Manager

FACILITY CONTACT PERSON:
Name: Anthony Makovitch
Title: Environmental Coordinator
Phone: (978) 573-1240
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This Operating Permit shall expire on _____.

For the Department of Environmental Protection, Bureau of Waste Prevention

_____ _____
James Belsky, Permit Chief, Bureau of Waste Prevention Date

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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

A. DESCRIPTION OF FACILITY AND OPERATIONS

Peabody Municipal Light Plant-Waters River Station ("the Permittee") is an electrical power generation facility which has major Oxides of Nitrogen (NO_x) and Carbon Monoxide (CO) emissions and is not major for Sulfur Dioxide (SO_2). The Permittee operates two (2) simple cycle combustion turbines designated as EU1 and EU2 to generate electrical power during periods of peak demand. EU1 has a nameplate capacity of 21.25 megawatts electrical output or 321.9 million British thermal units per hour (MMBtu/hr) heat input capacity. EU2 has a nameplate capacity of 49.9 megawatts electrical output or 485.9 MMBtu/hr heat input capacity. The facility is not major for hazardous air pollutants (HAPs). EU1 and EU2 are subject to various fuel restrictions and pollutant emission limits/standards.

EU1 and EU2 are subject to the requirements of 310 CMR 7.19 Reasonably Available Control Technology (RACT) for sources of NO_x since Massachusetts is designated as nonattainment for the National Ambient Air Quality Standard (NAAQS) for ozone. The Permittee may comply, either in part, or entirely, with its CO emission limitation for EU1, and facility-wide (EU1 and EU2) NO_x emission limitation, through the use of Emission Reduction Credits (ERCs) certified by MassDEP pursuant to 310 CMR 7.00: Appendix B(3), so as to comply with NO_x RACT.

As per 310 CMR 7.00: Appendix B(4)(f), MassDEP has determined that Approval MBR-94-COM-056, the Permittee's NO_x RACT Bubble Approval, shall be renewed. The Permittee completed an air dispersion modeling analysis using the EPA approved AERMOD software program on December 28, 2012, which showed that the emissions from the Permittee's facility demonstrated compliance with the one hour NO_2 NAAQS. MassDEP approved Permittee's compliance demonstration with the one hour NO_2 NAAQS on February 14, 2013.

Compliance Assurance Monitoring (CAM) requirements of 40 CFR 64 apply to EU2 for NO_x and CO due to the use of their respective air pollution control devices, which are water injection to control NO_x emissions and CO oxidation catalyst to control CO emissions. The Permittee submitted a CAM plan to MassDEP, which is approved by reference herein. CAM does not apply to EU1 since it does not use any air pollution control device.

40 CFR Part 60, Subpart GG, NSPS for Stationary Gas Turbines applies to EU2 although the associated NO_x and SO_2 standards are less stringent than MassDEP's Best Available Control Technology limits, governing EU2.

The owner/operator of Peabody Municipal Light is subject to and shall comply with the Massachusetts Clean Air Interstate Rule (CAIR), 310 CMR 7.32, and has submitted a CAIR emission control application pursuant to 310 CMR 7.32(3).

Tables 3, 4, 5, and 6 contains applicable regulations and requirements and Table 7 contains non-applicability determinations.

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

Table 1			
Emission Unit (EU#)	**Description of Emission unit**	**EU Design Capacity**	**Pollution Control Device (PCD)**
EU1	Pratt & Whitney FT4-9A turbine	224,000,000 Btu/hr* 321,900,000 Btu/hr**	None
EU2	General Electric LM5000 turbine	412,000,000 Btu/hr* 485,900,000 Btu/hr**	Water injection for Nitrogen Oxides (NO_x) control Catalytic Oxidizer for Carbon Monoxide (CO) control

Table 1 Footnotes:

Btu/hr = British thermal units/hour
* = at ISO Conditions
**=Maximum Firing Rate

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00:Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	**Reason**
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3

EU #	Fuel/Raw Material	Operational and/or Production Limits	Pollutant	Emissions Limits/Standards	Applicable Regulations and/or Approval No.
EU1	Natural gas	NA	CO	$\leq$ ALE $_{co\#1}$ [1]	Modified Final Approval MBR-94-COM-056
	Natural gas or Diesel oil	NA	CO	100 ppmvd, one hour averaging period	Modified Final Approval MBR-94-COM-056
			PM	0.10 lb/MMBtu	MBR-87-COM-079
			SO_2	1.2 lb/MMBtu [2]	310 CMR 7.22
EU2 [4]	Natural gas	See hourly run time restriction below	NO_x	25 ppm [3]	MBR-01-COM-029
				37.9 lb/hr	
			CO	60.6 lb/hr	
			PM	20.6 lb/hr	
			VOC	18.0 lb/hr	
	Diesel oil	2,392,500 gallons per twelve month rolling period[5]	NO_x	42 ppm [3]	
				67.2 lb/hr	
			CO	63.9 lb/hr	
			PM	20.6 lb/hr	
			SO_2	124 lb/hr	
			VOC	29.7 lb/hr	

Table 3					
EU #	**Fuel/Raw Material**	**Operational and/or Production Limits**	**Pollutant**	**Emissions Limits/Standards**	**Applicable Regulations and/or Approval No.**
EU2	Natural gas and/or Diesel oil	2,500 hours total run time per twelve month rolling period[5]	NO_x	59.6 tons per 12mrp	MBR-01-COM-029
				STD = 0.0075 x (14.4)/(Y) +F [6,7]	40 CFR 60.332(a)(1)
			CO	40 ppmvd, one hour averaging period	Modified Final Approval MBR-94-COM-056 & MBR-01-COM-029
				77.1 tons per 12mrp	MBR-01-COM-029
			PM	0.05 lb/MMBtu	
				25.8 tons per 12mrp	
			SO_2	51.6 tons per 12mrp	
				1.2 lb/MMBtu[2]	310 CMR 7.22
				$\leq$ 0.015 % by volume, 15% O_2 dry basis [8]	40 CFR 60.333(a)
			Sulfur in fuel	0.8 percent by weight [8]	40 CFR 60.333(b)
			VOC	27.3 tons per 12mrp	MBR-01-COM-029
			CO_2	Hold CO_2 allowances available for compliance [9,10]	Approval X007579 310 CMR 7.70(1)(e)3.a.
				CO_2 allowances transfers	Approval X007579 310 CMR 7.70(7)
				See "Special Terms and Conditions" Table 8, No.3	310 CMR 7.70

Table 3					
EU #	**Fuel/Raw Material**	**Operational and/or Production Limits**	**Pollutant**	**Emissions Limits/Standards**	**Applicable Regulations and/or Approval No.**
EU1 EU2	Natural gas or Diesel oil	NA	NO_x	$\leq$ AlE $_{NOx}$ [11]	Modified Final Approval MBR-94-COM-056, 310 CMR 7.19 & 310 CMR 7.00 Appendix B(4)
				< 4519 lb/day [12]	
				See "Special Terms and Conditions", Section 5, C.1.	310 CMR 7.32
EU1 EU2	NA	NA	NO_x	As of the allowance deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under 310 CMR 7.32(6)(e)1 in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with 310 CMR 7.32(8)	310 CMR 7.32(8)

Table 3					
EU #	**Fuel/Raw Material**	**Operational and/or Production Limits**	**Pollutant**	**Emissions Limits/Standards**	**Applicable Regulations and/or Approval No.**
Facility-Wide	Diesel oil	NA	Sulfur in fuel	≤ 0.17 lb sulfur per MMBtu heat release potential	310 CMR 7.05(1)
	NA	NA	Smoke	< No. 1 of Chart [13], except No. 1 to < No. 2 of Chart for ≤ six (6) minutes during any one hour	310 CMR 7.06(1)(a)
			Opacity	≤ 20 percent except 20 to ≤ 40 percent for ≤ two (2) minutes during any one hour	310 CMR 7.06(1)(b)
			Greenhouse gas[14]	NA	310 CMR 7.71 (state only)

Table 3 Key:

EU# = emission unit number
NA = not applicable
NO_x = nitrogen oxides
CMR = Code of Massachusetts Regulations
lb/day = pounds per day
CO = carbon monoxide
ppmvd = parts per million by volume, dry, adjusted to 15 percent oxygen
PM = particulate matter
lb/MMBtu = pounds per million British thermal units
SO_2 = sulfur dioxide
ppm = parts per million
lb/hr = pounds per hour
12mrp = twelve month rolling period
STD = allowable NO_x emissions (percent by volume at 15 percent oxygen on a dry basis)
Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.
F = Correction Factor for fuel bound nitrogen as defined in 40 CFR 60.332.
O_2 = oxygen

CO_2	=	Carbon dioxide
VOC	=	volatile organic compounds
CFR	=	Code of Federal Regulations
%	=	percent
<	=	less than
>	=	greater than
≤	=	less than or equal to

Table 3 Footnotes:

1. The maximum allowable pounds of CO emitted per month for EU1 on natural gas, $\mathbf{ALE_{co\#1}}$, is calculated as given by the equation below:

$\mathbf{ALE_{co\#1}} = (2.275 \times 10^{-4}$ lb/ft$^3) \times \mathbf{B1_{gas}}$

$\mathbf{B1_{gas}}$ is the monthly amount of natural gas combusted by EU1 in cubic feet.

The actual pounds of CO emitted per month for EU1 on natural gas, $\mathbf{AcE_{co\#1}}$ is calculated as given by the equation below:

$\mathbf{AcE_{co\#1}} = 1.10 \times (2.275 \times 10^{-6}$ lb/scf-ppmc) x $\mathbf{C1_{gas}} \times \mathbf{B1_{gas}}$

$\mathbf{C1_{gas}}$ is EU1's CO emission rate, while firing natural gas and is measured in ppm @15%O_2.
$\mathbf{B1_{gas}}$ is the monthly amount of natural gas combusted by EU1 in cubic feet.
A compliance assurance multiplier of 1.10 is used to adjust the actual CO emission rate consistent with 310 CMR 7.19(13)(a)(3).

$\mathbf{C1_{gas}}$, the CO emission rate for EU1, will be updated each year for use in the abovementioned emissions equations beginning on the 1st of the month following submittal of the annual compliance test report to MassDEP.

The above equations are calculated based on the formula in Regulation 310 CMR 7.19(14)(c) modified for CO.

For EU1 on natural gas firing, the Permittee may comply, either in part, or entirely, with its CO emission limitation, $\mathbf{ALE_{co\#1}}$, through the use of Emission Reduction Credits (ERCs) certified by MassDEP pursuant to 310 CMR 7.00: Appendix B(3) if the actual, monthly CO emission rate for EU1, denoted as $\mathbf{AcE_{co\#1}}$, while combusting natural gas, is greater than the allowable, monthly CO emission limitation $\mathbf{ALE_{co\#1}}$ according to the following equation:

$\mathbf{ERC_{CO}} = (\mathbf{AcE_{CO\#1}} - \mathbf{ALE_{CO\#1}}) / 2000$

$\mathbf{ERC_{CO}}$ shall be rounded to the nearest ton on a calendar month basis.

PMLP shall comply with 310 CMR 7.00: Appendix B(3)(e) regarding the withdrawal, transfer and use of ERCs. In accordance with 310 CMR 7.00: Appendix B(3)(e)2., at the end of each calendar year, PMLP shall obtain an amount of credit equal to five (5) percent more than the amount needed for compliance calculation as determined above on a calendar month basis.

CO ERCs generated during the period November 1st through February 28th may be used at any time during the calendar year. CO ERCs generated during the period March 1st through October 31st may only be used during the period March 1st through October 31st.

2. Emission rate is based on an annual calendar average. Compliance with 310 CMR 7.05 for the Sulfur limit of No. 2 Fuel Oil shall be deemed compliance with the SO_2 limit under the Massachusetts Acid Rain Regulation 310 CMR 7.22. The provisions of 310 CMR 7.22 are State-Only Requirements.

3. Gas concentrations referenced at 15 percent oxygen and at ISO conditions.

4. Exclusive of startup and shutdown periods.

5. For operating hours/fuel restrictions cap, refer to item 1 of Table 8.

6. Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, as referenced in 40 CFR 60.332.

As referenced in 40 CFR 60.332, F shall be defined according to the nitrogen content of the fuel as follows:

Fuel bound nitrogen, N, (percent by weight)	**"Correction Factor" F (NO_x percent by volume)**
$N \leq 0.015$	0
$0.015 < N \leq 0.1$	0.04 (N)
$0.1 < N \leq 0.25$	0.004 + 0.0067(N-0.1)
$N > 0.25$	0.005

where: N = nitrogen content of the fuel (percent by weight)

7. The Permittee has indicated that it will use zero as its F-factor in this calculation.

8. In accordance with 40 CFR 60.333, the Permittee shall comply with one or the other of these conditions.

9. Compliance with CO_2 allowances shall be based on the control period. The control period is a three-calendar-year time period, unless extended to four years upon occurrence of a stage two trigger event. Control period and stage two trigger event are defined at 310 CMR 7.70(1)(b).

10. Hold CO_2 allowances available for compliance deductions under 310 CMR 7.70(6)(e), as of the CO_2 allowance transfer deadline, in the Permittee's compliance account in an amount not less than the total CO_2 emissions for the control period from all CO_2 budget units at the source, as determined in accordance with 310 CMR 7.70(6) and (8).

11. The facility-wide NO_x emission limitation is calculated on a calendar month basis to give an allowable, monthly NO_x emission limitation (**AlE_{NOx}**). The **AlE_{NOx}**, in pounds per month, is based on the equation given below:

AlE_{NOx} $= 2.43 \times 10^{-4}$ lb/scf x **($B1_{gas}$ + $B2_{gas}$)** + 5.22×10^{-2} lb/gal x **($B1_{oil}$ + $B2_{oil}$)**

$B1_{gas}$ is the monthly amount of natural gas combusted by EU1 in cubic feet.
$B2_{gas}$ is the monthly amount of natural gas combusted by EU2 in cubic feet.
$B1_{oil}$ is the monthly amount of fuel oil combusted by EU1 in gallons.
$B2_{oil}$ is the monthly amount of fuel oil combusted by EU2 in gallons.

The facility-wide, actual NO_x emission rate is calculated on a calendar month basis to give an actual, monthly NO_x emission rate (**AcE_{NOx}**). The **AcE_{NOx}**, in pounds per month, is based on the equation given below:

AcE_{NOx} $= 1.10 \times \{(3.7 \times 10^{-6}$ lb/scf-ppmc ISO x [(**$A1_{gas}$** x **$B1_{gas}$**) + (**$A2_{gas}$** x **$B2_{gas}$**)] +
5.22×10^{-4} lb/gal-ppmc ISO x [(**$A1_{oil}$** x **$B1_{oil}$**) + (**$A2_{oil}$** x **$B2_{oil}$**)]}

Al_{gas} is the NO_x emission rate in parts per million, corrected to 15 percent O_2 and ISO conditions for EU1 while firing natural gas.
$A1_{oil}$ is the NO_x emission rate in parts per million, corrected to 15 percent O_2 and ISO conditions for EU1 while firing oil.
$A2_{gas}$ is the NO_x emission rate in parts per million, corrected to 15 percent O_2 and ISO conditions for EU2 while firing natural gas.
$A2_{oil}$ is the NO_x emission rate in parts per million, corrected to 15 percent O_2 and ISO conditions for EU2 while firing oil.
A compliance assurance multiplier of 1.10 is used to adjust the actual NO_x emission rate consistent with 310 CMR 7.19(13)(a)(3).

The NO_x emission rates: **Al_{gas}** , **$A1_{oil}$** , **$A2_{gas}$** , **$A2_{oil}$** will be updated each year for use in the abovementioned emissions averaging equations beginning on the 1st of the month following submittal of the annual compliance test report to MassDEP.

The Permittee may comply, either in part, or entirely, with its NO_x emission limitation, **AlE_{NOx}**, through the use of Emissions Reduction Credits certified by MassDEP pursuant to 310 CMR 7.00: Appendix B(3) if the actual, monthly NO_x emission rate **AcE_{NOx}** is greater than the allowable, monthly NO_x emission limitation **AlE_{NOx}** according to the following equation:

ERC_{NOx} = (AcE_{NOx} - AlE_{NOx}) / 2000

ERC_{NOx} shall be rounded to the nearest ton on a calendar month basis.

PMLP shall comply with 310 CMR 7.00: Appendix B(3)(e) regarding the withdrawal, transfer and use of ERCs. In accordance with 310 CMR 7.00: Appendix B(3)(e)2., at the end of each calendar year, PMLP shall obtain an amount of credit equal to five (5) percent more than the amount needed for compliance calculation as determined above on a calendar year month basis.

NO_x ERCs generated during the period May 1st through September 30th may be used at any time during the calendar year. NO_x ERCs generated during the period October 1st through April 30th may only be used during the period October 1st through April 30th.

12. The allowable daily, facility-wide, NO_x emissions, $\mathbf{AD_{NOx}}$, in pounds of NO_x per day, has been calculated, based upon usage of fuel oil in both EU1 and EU2 for 24 hours at each unit's maximum allowable NO_x emission rate. Using the above information yields an $\mathbf{AD_{NOx}}$ of 4519 pounds of NO_x per day.

The following equation shall be used by the Permittee to calculate actual daily, facility-wide NO_x emissions, $\mathbf{AcD_{NOx}}$, in pounds of NO_x per day:

$$\mathbf{AcD_{NOx}} = \mathbf{A1_{gas}}(\mathbf{T1_{gas}})(0.9742) + \mathbf{A2_{gas}}(\mathbf{T2_{gas}})\ (1.934) + \mathbf{A1_{oil}}\ (\mathbf{T1_{oil}})(1.027) + \mathbf{A2_{oil}}\ (\mathbf{T2_{oil}})(2.038)$$

$\mathbf{Al_{gas}}$ is EU1's NO_x emission rate, derived based upon the results of the required annual NO_x compliance testing, while firing natural gas, and is measured in ppm, corrected to 15 percent O_2 and ISO conditions.
$\mathbf{A1_{oil}}$ is EU1's NO_x emission rate, derived based upon the results of the required annual NO_x compliance testing, while firing oil, and is measured in ppm, corrected to 15 percent O_2 and ISO conditions.
$\mathbf{A2_{gas}}$ is EU2's NO_x emission rate, derived based upon the results of the required annual NO_x compliance testing, while firing natural gas, and is measured in ppm, corrected to 15 percent O_2 and ISO conditions.
$\mathbf{A2_{oil}}$ is EU2's NO_x emission rate, derived based upon the results of the required annual NO_x compliance testing, while firing oil, and is measured in ppm, corrected to 15 percent O_2 and ISO conditions.
$\mathbf{T1_{gas}}$ is the number of hours EU1 operates in a calendar day, while combusting natural gas. A calendar day is defined as a 24-hour period between 12:00 midnight and 12:00 midnight of the following day.
$\mathbf{T2_{gas}}$ is the number of hours EU2 operates in a calendar day, while combusting natural gas. A calendar day is defined as a 24-hour period between 12:00 midnight and 12:00 midnight of the following day.
$\mathbf{T1_{oil}}$ is the number of hours EU1 operates in a calendar day, while combusting fuel oil. A calendar day is defined as a 24-hour period between 12:00 midnight and 12:00 midnight of the following day.
$\mathbf{T2_{oil}}$ is the number of hours EU2 operates in a calendar day, while combusting fuel oil. A calendar day is defined as a 24-hour period between 12:00 midnight and 12:00 midnight of the following day.

The NO_x emission rates: $\mathbf{Al_{gas}}$, $\mathbf{A1_{oil}}$, $\mathbf{A2_{gas}}$, $\mathbf{A2_{oil}}$ will be updated each year for use in the abovementioned emissions averaging equations beginning on the 1st of the month following submittal of the annual compliance test report to MassDEP.

13. Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.

14. Greenhouse gas means any chemical or physical substance that is emitted into the air and that MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO_2, CH_4, N_2O, SF_6, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C(9) and (10) and applicable requirements contained in Table 3:

Table 4

EU #	Monitoring And Testing Requirements
EU1	1. In accordance with 310 CMR 7.00: Appendix C(9)(b) 2. and the facility's Standard Operating and Maintenance Procedures (SOMP), monitor operations continuously to determine compliance status with PM limits.
	2. In accordance with 310 CMR 7.00: Appendix C(9)(b)2., obtain records to determine compliance status with the sulfur dioxide emission limit in Table 3.
EU2	3. In accordance with the Modified Final Approval MBR-94-COM-056, Proviso No.II.a., monitor that the catalytic oxidizer is operating at all times when EU2 is operating.
	4. In accordance with Final Approval MBR-01-COM-029, Proviso III. 5, monitor the operating hours and the quantity of and type of fuel combusted in each month and on a rolling 12-month basis so that compliance with the monthly summary report required in can be maintained.
	5. In accordance with 40 CFR 60.334(a), the owner or operator of any stationary gas turbine subject to the provisions of this subpart and using water injection to control NO_x emissions shall install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and ratio of water to fuel being fired in the turbine.
	6. In accordance with 40 CFR 60.334(g), the water to fuel ratio that is continuously monitored as described in paragraph 40 CFR 60.334(a) shall be monitored during the performance test required under 40 CFR 60.8 to establish acceptable values and ranges. The owner or operator may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. The owner or operator shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls.
	7. The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60 Subpart GG shall monitor sulfur content of the fuel being fired in the turbine as referenced in 40 CFR 60.334(h), incorporated herein by reference.
	8. In accordance with 40 CFR 60.334(h)(1), the owner or operator shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in paragraph 40 CFR 60.334(h)(3). The sulfur content of the fuel must be determined using the sulfur methods described in 40 CFR 60.335(b)(10), or alternatively, for gaseous fuels, by methods specified 40 CFR 60.334(h)(1) if the total sulfur content of the fuel during the most recent performance test was less than 0.4 weight percent.

Table 4	
EU #	**Monitoring And Testing Requirements**
EU2	9. The total sulfur content of fuel oil shall be determined in conformance with 40 CFR 75 Appendix D sampling options, and the associated frequencies, as described in 40 CFR 60.334(i)(1).
	10. In accordance with 40 CFR 60.334(h)(3), monitoring of the total sulfur content of gaseous fuel is not required so long as the gaseous fuel combusted in the turbines is demonstrated to meet the 40 CFR 60.331(u) definition of natural gas, using methods described in 40 CFR 60.334(h)(3)(i) or 60.334(h)(3)(ii).
	11. In accordance with 40 CFR 60.335(a) and (b), conduct performance tests as required in §60.8.
	12. Determine compliance status with the nitrogen oxides standards in accordance with 40 CFR 60.334(j)(1)(i)(A), incorporated herein by reference.
	13. Determine compliance status with sulfur dioxide standards in accordance with 40 CFR 60.334(j)(2), incorporated herein by reference.
	14. In accordance with 310 CMR 7.70(8)(a)1.a. and Approval No. X007579, install all monitoring systems necessary to monitor CO_2 mass emissions in accordance with 40 CFR 75, except equation G-1in Appendix G shall not be used to determine CO_2 emissions under 310 CMR 7.70(8) (State only requirement).
	15. In accordance with 310 CMR 7.70(8)(a)1.b and Approval No. X007579, successfully complete all certification tests required under 310 CMR 7.70(8)(b) and meet all other requirements of 310 CMR 7.70(8) and 40 CFR 75 applicable to the monitoring systems under 310 CMR 7.70(8)(a)1.a. (State only requirement).
	16. In accordance with 310 CMR 7.70(8)(a)1.c and Approval No. X007579, record, report and quality-assure the data from the monitoring systems under 310 CMR 7.70(8)(a)1.a. (State only requirement).
	17. In accordance with 310 CMR 7.70(8)(a)3.c.iii and Approval No. X007579, CO_2 budget units not subject to an acid rain emissions limitation or 310 CMR 7.32 shall qualify for the optional CO_2 emissions calculation for LME units under 40 CFR 75.19, provided that they emit less than 100 tons of NO_x annually and no more than 25 tons of SO_2 annually (State only requirement).
	18. In accordance with 310 CMR 7.70(8)(b)5. and Approval No. X007579, a unit qualified to use the low mass emissions excepted methodology under 310 CMR 7.70(8)(a)3.c. shall meet the applicable certification and recertification requirements of 40 CFR 75.19(a)(2), 40 CFR 75.20(h) and 310 CMR 7.70(8)(b). If a fuel flow meter system is to be used for heat input determinations, it must meet the certification and recertification requirements in 40 CFR 75.20(g) (State only requirement).

Table 4	
EU #	**Monitoring And Testing Requirements**
EU2	19. In accordance with 310 CMR 7.70(8)(c)1. and Approval No. X007579, whenever any monitoring system fails to meet the quality assurance and quality control requirements or data validation requirements of 40 CFR 75, data shall be substituted using the applicable procedures in Subpart D or appendix D of 40 CFR 75 (State only requirement).
	20. In accordance with 310 CMR 7.70(8)(h)1. and Approval No. X007579, submit to the Department or its agent net electrical output (State only requirement).
	21. In accordance with 310 CMR 7.70(8)(h)5.b. and Approval No. X007579, the output monitoring system shall either meet a system accuracy of within 10% of the reference value, or each component monitor for the output system shall meet an accuracy of within 3.0% of the full scale value, whichever is less stringent (State only requirement).
	22. In accordance with 310 CMR 7.70(8)(h)5.c. and Approval No. X007579, when a component of output measurement equipment fails to pass an accuracy test, all data shall be replaced by either zero or an output value that is approved as part of the monitoring plan required under 310 CMR 7.70(8)(h)3.until the component passes an accuracy test or is replaced with another piece of equipment that passes the accuracy test (State only requirement).
EU1 EU2	23. In accordance with Final Approval MBR-01-COM-029, Proviso III. 6, monitor the sulfur content of the fuel oil being fired in each turbine each time the fuel oil tank is refilled so that compliance with the monthly summary report required can be maintained.
	24. In accordance with Modified Final Approval MBR-94-COM-056, Proviso No. III.a., measure for <u>each</u> unit the following items: the daily and monthly quantity of each fuel burned and the number of hours operated on each fuel, the total daily NO_x and the total monthly NO_x and CO emissions from each unit, and heat content of all fuels combusted. In addition, the relevant operating parameters for EU1 and EU2 shall be measured, calculated and/or recorded when the units are operating. These operating parameters are listed in the facility's Standard Operating and Maintenance Procedures (SOMP).
	25. Obtain certification from the fuel supplier for each shipment of No. 2 fuel oil received that includes the following information: 1) the name of the oil supplier; and 2) the location where the sample was drawn for analysis of the oil as referenced in Modified Final Approval MBR-94-COM-056, Proviso No. III.b.
	26. In accordance with Modified Final Approval MBR-94-COM-056, Proviso No. V.a., Final Approval MBR-01-COM-029 Proviso III. 11., and 310 CMR 7.19(13), the facility shall conduct compliance testing (stack testing) on both EU1 and EU2 prior to October 1 of each year.
	27. In accordance with Modified Final Approval MBR-94-COM-056, Proviso V.b., compliance tests shall be conducted in accordance with the EPA test methodologies set forth in the Code of Federal Regulations Title 40 CFR 60, Appendix A, or by such other methods approved by MassDEP and EPA.

Table 4	
EU #	**Monitoring And Testing Requirements**
EU1 EU2	28. Monitor daily and monthly fuel usage in each unit, the daily hours of operation of each unit, each type of fuel fired, and use the NO_x emission rate in ppmvd from the most recent stack testing so that compliance status with NO_x RACT emission limits in Modified Final Approval MBR-94-COM-056, Table 3 can be determined.
	29. In accordance with 310 CMR 7.00: Appendix C(9)(b)(2), monitor operations to determine compliance status with emission limits contained in Table 3 above.
	30. Monitor facility operations such that the records of all monitoring data and supporting information are maintained on site for a period of at least five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit Application. Supporting information includes at a minimum, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit, and any other information required to interpret the monitoring data. Records required to be maintained shall include, where applicable: a) The date, place as defined in the Permit, and time of sampling or measurements; b) The date(s) analyses were performed; c) The company or entity that performed the analyses; d) The analytical techniques or methods used; e) The results of such analyses; and f) The operating conditions as existing at the time of sampling or measurement as provided in 310 CMR 7.00:Appendix C(10)(b) incorporated herein by reference.
	31. In accordance with MassDEP's September 14, 2005 Approval Letter pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2., compliance with 310 CMR 7.04(2) provisions for opacity monitoring shall be satisfied by semi-annual Method 9 "Visual Determination of the Opacity of Emissions from Stationary Sources" observations for EU1 and EU2.
	32. In accordance with 310 CMR 7.32, monitor and test as required by the Massachusetts Clean Air Interstate Rule (CAIR).
Facility-Wide	33. Emissions Compliance Testing (Stack Testing) shall be performed in accordance with 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A (PM - Methods 1 through 5, NO_X - Method 7E, CO - Method 10, Opacity - Method 9, SO_2 - Method 6C, O_2 - Method 3A) or any other testing if and when requested by MassDEP or EPA.
	34. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2., monitor facility operations such that compliance with the Annual Compliance Report required in Table 6 can be maintained.

Table 4	
EU #	**Monitoring And Testing Requirements**
Facility-Wide	35. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2., monitor facility operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement as required by 310 CMR 7.12.
	36. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2., monitor facility operations for instances of deviations from Permit conditions so that compliance with Table 6 can be maintained.
	37. In accordance with 310 CMR 7.71(1) and 310 CMR 7.00: Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6 (State only requirement).

Table 5	
EU #	**Record Keeping Requirements**
EU1	1. In accordance with Modified Final Approval MBR-94-COM-056 and 310 CMR 7.19(13), maintain records of annual compliance testing performed to determine compliance status with NO_x and CO emission limits in Table 3.
	2. In accordance with 310 CMR 7.00: Appendix C(9)(b)(2)., record facility operations that aid in the determination of compliance status with emission limits in Table 3 above.
EU2	3. In accordance with Modified Final Approval MBR-94-COM-056 and 310 CMR 7.19(13), maintain records of annual compliance testing performed to determine compliance status with the NO_x and CO emission limits in Table 3.
	4. Maintain a record of the operating hours and the quantity of and type of fuel combusted in each month. Fuel usage should be recorded as the total number of cubic feet of natural gas and gallons of fuel oil combusted. A rolling 12-month total of both shall also be recorded so that compliance with the monthly summary report required in Final Approval MBR-01-COM-029, Proviso III.5. can be maintained.
	5. In accordance with 310 CMR 7.00: Appendix C(9)(b)(2), record facility operations that aid in the determination of compliance status with emission limits in Table 3 above.
	6. In accordance with 40 CFR 60.334(a), the owner or operator of any stationary gas turbine subject to the provisions of this subpart and using water injection to control NO_x emissions shall install, calibrate and maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine.
	7. In accordance with 40 CFR 60.334(g), a parameter monitoring plan shall be developed and kept on-site. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s) as well as the basis for designating the parameter(s) and acceptable range(s).

Table 5	
EU #	**Record Keeping Requirements**
EU2	8. Maintain records of the monitoring requirements of 40 CFR 60.334(h)(3) and 60.334(i)(1) to determine sulfur content of the fuel being fired, so that compliance status with 40 CFR 60.333 can be determined.
	9. Maintain a record of nitrogen oxides excess emissions as defined in 40 CFR 60.334(j)(1)(i) and incorporated herein by reference so that compliance with the excess emissions reporting requirement in Table 6 of this Permit can be maintained.
	10. Maintain a record of any period during which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 percent so that compliance with the excess emissions reporting requirement contained in 40 CFR 60.334(j) can be maintained.
	11. Maintain records of compliance status of SO_2 and NO_x emission limits in accordance with 40 CFR 60.334(j)(1), 60.334(j)(2) and 60.335.
	12. In accordance with 40 CFR 60.7(b), maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
	13. In accordance with 310 CMR 7.70(8)(e)1. and Approval No. X007579, comply with all record keeping and reporting requirements in 310 CMR 7.70(8)(e), with all applicable record keeping and reporting requirements under 40 CFR 75.73, and with the requirements of 310 CMR 7.70(2)(a)5 (State only requirement).
	14. In accordance with 310 CMR 7.70(8)(h)6.a. and Approval No. X007579, comply with all output record keeping and reporting requirements in 310 CMR 7.70(8)(h) and with the requirements of 310 CMR 7.70(1)(e)5. and (2)(a)5 (State only requirement).
	15. In accordance with 310 CMR 7.70(8)(h)6.b. and Approval No. X007579, retain data used to monitor, determine, or calculate net generation for ten years from the date reported (State only requirement).
EU1 EU2	16. Maintain a record of the sulfur content of the fuel oil being fired in each turbine each time the fuel oil tank is refilled so that compliance with the monthly summary report required in Final Approval MBR-01-COM-029, Proviso III. 6. can be maintained.
	17. In accordance with Modified Final Approval MBR-94-COM-056, Proviso No. III.a., record for <u>each</u> unit the following items: the daily and monthly quantity of each fuel burned and the number of hours operated on each fuel, the total daily NO_x and the total monthly NO_x and CO emissions from each unit, and heat content of all fuels combusted. Record all relevant operating parameters listed in the facility's SOMP for EU1 and EU2.

Table 5	
EU #	**Record Keeping Requirements**
EU1 EU2	18. Maintain a record of the certification from the fuel supplier for each shipment of fuel oil received that includes the following information: 1) the name of the oil supplier; and 2) the location where the sample was drawn for analysis of the oil as referenced in Modified Final Approval MBR-94-COM-056, Proviso No. III.b.
	19. In accordance with Modified Final Approval MBR-94-COM-056, Proviso No. III.c., maintain all daily records and certification reports on-site for a period of five years. The records shall be permanently bound in a logbook.
	20. Maintain a copy of the Standard Operating and Maintenance Procedure (SOMP) for the combustion turbines on-site at all times as referenced in Modified Final Approval MBR-94-COM-056, Proviso No. VI.f. A copy of the SOMP shall be affixed at or adjacent to the subject equipment in accordance with Final Approval MBR-01-COM-029, Proviso III.3.
	21. Record daily and monthly fuel usage in each unit, the daily hours of operation of each unit, each type of fuel fired, and the NO_x emission rate in ppmvd so that compliance status with NO_x RACT emission limits, calculated in accordance with Table 3 of Modified Final Approval MBR-94-COM-056, can be recorded.
	22. In accordance with MassDEP's September 14, 2005 Approval Letter maintain records of Method 9 observations.
	23. In accordance with 310 CMR 7.32, maintain records as required by the Massachusetts Clean Air Interstate Rule (CAIR).
Facility-wide	24. Maintain fuel purchase records in order to demonstrate compliance with fuel sulfur content requirements as provided in 310 CMR 7.05(1)(a) incorporated herein by reference. Said records shall be maintained on site for a period of the five most recent years.
	25. Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2, maintain a record of any exceedance of any limitation/restriction established in Table 3 of this Permit so that compliance with Table 6 of this Permit can be maintained.
	26. Maintain records of facility operations such that information may be reported as required for compliance with 310 CMR 7.12. Keep copies of all information supplied to MassDEP pursuant to 310 CMR 7.12 on site for five (5) years after the date the report is submitted.

Table 5	
EU #	**Record Keeping Requirements**
Facility-Wide	27. Maintain records of all monitoring data and supporting information on site for a period of at least five (5) years from the date of the monitoring sample, measurement, report or Operating Permit Renewal Application. Supporting information includes at a minimum, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit, and any other information required to interpret the monitoring data. Records required to be maintained shall include, where applicable: a) The date, place as defined in the Permit, and time of sampling or measurements; b) The date(s) analyses were performed; c) The company or entity that performed the analyses; d) The analytical techniques or methods used; e) The results of such analyses; and f) The operating conditions as existing at the time of sampling or measurement as provided in 310 CMR 7.00:Appendix C(10)(b) incorporated herein by reference.
	28. Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2, maintain a record of any required stack testing results.
	29. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2., maintain facility records such that compliance with the Annual Compliance Report submittal required in Table 6 can be maintained.
	30. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2., maintain facility records for instances of deviations from Permit conditions so that compliance with Table 6 can be maintained.
	31. All required records shall be maintained on-site for a period of at least five years as provided in 310 CMR 7.00: Appendix C(10) (b) and incorporated herein by reference and shall be permanently bound in a logbook as referenced in Modified Final Approval MBR-94-COM-056, Proviso III.c.
	32. In accordance with 310 CMR 7.71 (6) b. and c. retain at the facility for five years and make available to MassDEP upon request copies of the documentation of the methodology and data used to quantify emissions (State only requirement).

Table 6	
EU #	**Reporting Requirements**
EU2	1. In accordance with the Final Approval MBR-01-COM-029, Section III, Proviso No. 5, submit monthly summary reports to this Office, which shall include the operating hours and the quantity of and type of fuel combusted in the subject month. Fuel usage should be reported as the total number of cubic feet of natural gas and gallons of fuel oil combusted. A rolling 12-month total of both shall also be included in the monthly summary report. These reports shall be received by this Office on or before the thirtieth day of the month following the subject month.
	2. In accordance with 40 CFR 60.8(d), the Permittee shall provide the Administrator at least 30 days prior notice of any performance test.
	3. In accordance with 40 CFR 60.8(a), furnish a written report of the results of performance test(s) to the Administrator.
	4. In accordance with 40 CFR 60.334(j), and 40 CFR 60.7(c), submit excess emission reports on a semi-annual basis for nitrogen oxides and sulfur dioxide to both MassDEP and USEPA.
	5. In accordance with 310 CMR 7.70(2)(a)5. and Approval No. X007579, each submission under the CO_2 Budget Trading Program shall be submitted, signed, and certified by the CO_2 authorized account representative (State only requirement).
	6. In accordance with 310 CMR 7.70(4)(a) and Approval No. X007579, for each control period in which a CO_2 budget source is subject to the CO_2 requirements of 310 CMR 7.70(1)(e)3., submit to the Department by the March 1 following the relevant control period, a compliance certification report to the RGGI CO_2 Allowance Tracking System (COATS) . The compliance certification shall contain, at a minimum, the items listed in 310 CMR 7.70(4)(a)2. and 3. (State only requirement).
	7. In accordance with 310 CMR 7.70(6)(c) and Approval No. X007579, following the establishment of a CO_2 Allowance Tracking System account, all submissions to the Department or its agent pertaining to the account, shall be made only by the CO_2 authorized account representative for the account (State only requirement).
	8. In accordance with 310 CMR 7.70(8)(d) and Approval No. X007579, the CO_2 authorized account representative shall submit written notifications to the Department and the Administrator in accordance with 40 CFR 75.61 (State only requirement).
	9. In accordance with 310 CMR 7.70(8)(e)1. and Approval No. X007579, comply with all record keeping and reporting requirements in 310 CMR 7.70(8)(e), the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of 310 CMR 7.70(2)(a)5 (State only requirement).
	10. In accordance with 310 CMR 7.70(8)(e)2. and Approval No. X007579, submit such monitoring plan in the manner prescribed in 40 CFR 75.62 (State only requirement).

Table 6	
EU #	**Reporting Requirements**
EU2	11. In accordance with 310 CMR 7.70(8)(e)3. and Approval No. X007579, submit a certification application to the Department within 45 days after completing all CO_2 monitoring system initial certification or recertification tests required under 310 CMR 7.70(8)(b) including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f) (State only requirement).
	12. In accordance with 310 CMR 7.70(8)(e)4.a.i. and Approval No. X007579, report the CO_2 mass emissions data for the CO_2 budget unit that commenced commercial operation before July 1, 2008, in an electronic format prescribed by the Administrator, unless otherwise prescribed by the Department, for each calendar quarter beginning with the calendar quarter covering January 1, 2009 through March 31, 2009 (State only requirement).
	13. In accordance with 310 CMR 7.70(8)(e)4.b. and Approval No. X007579, submit each quarterly report to the Department's agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in Subpart H of 40 CFR 75 and 40 CFR 75.64. Quarterly reports shall include all of the data and information required in Subpart G of 40 CFR 75, except for opacity, NO_x and SO_2 provisions (State only requirement).
	14. In accordance with 310 CMR 7.70(8)(e)4.c. and Approval No. X007579, submit to the Department or its agent a compliance certification in support of each quarterly report (State only requirement).
	15. In accordance with 310 CMR 7.70(8)(h)6.a. and Approval No. X007579, comply with all output recordkeeping and reporting requirements in 310 CMR 7.70(8)(h) and with the requirements of 310 CMR 7.70(1)(e)5. and (2)(a)5 (State only requirement).
	16. In accordance with 310 CMR 7.70(8)(h)6.c. and Approval No. X007579, submit annual output reports in a spreadsheet both electronically and in hardcopy by March 1 for the immediately preceding calendar year to Sue Ann Richardson at the MassDEP's Boston Office or the MassDEP's agent (State only requirement).
EU1 EU2	17. In accordance with the Final Approval MBR-01-COM-029, Section III, Proviso No.6, report the sulfur content of the fuel oil being fired in each turbine, each time the fuel oil tank is refilled. The oil analysis reports shall be included as part of the monthly fuel usage reports required in this Table.
	18. In accordance with Modified Final Approval MBR-94-COM-056 Proviso No. III.c., submit records and certification reports to MassDEP or US EPA within 10 days of request. Additionally, said records shall be made available to MassDEP personnel upon request.

Table 6	
EU #	**Reporting Requirements**
EU1 EU2	19. In accordance with Modified Final Approval MBR-94-COM-056, Proviso IV and 310 CMR 7.00: Appendix C(10) (a), the Permittee shall report how many NO_x and CO Emission Reduction Credits (ERCs) used, and if new ERCs are purchased, provide information on where it is purchased from, the ERCs generator, and the Approval number, and purchase date. The information shall be submitted to the Northeast Regional Office and Boston Office of MassDEP, in the periodic report due on or before January 30th of each year for the previous calendar year, as required by Proviso 5 of Final Approval MBR-01-COM-029.
	20. In accordance with Modified Final Approval MBR-94-COM-056, Proviso V.b. and MBR-01-COM-029, Proviso III. 11., the Permittee shall submit a test protocol to the Northeast Regional Office, attention BWP Permit Chief, at least 30 days prior to the anticipated date of testing for review and approval by MassDEP.
	21. In accordance with Modified Final Approval MBR-94-COM-056, Proviso V.b. and MBR-01-COM-029 Proviso III.11., the Permittee shall submit the compliance test results report to the Northeast Regional Office within 60 days of completion of testing, for review and approval by MassDEP.
	22. In accordance with Final Approval MBR-01-COM-029, Proviso III. 10., notify the Northeast Regional Office after the occurrence of any upset or malfunctions to the facility equipment which result in an excess emission to the air and/or a condition of air pollution. The Northeast Regional Bureau of Waste Prevention Compliance and Enforcement Chief, must be notified by telephone, fax or by e-mail at (nero.air@state.ma.us) within three business days of discovery of the occurrence and subsequently in writing within seven business days. The written notification shall include the date and time of the occurrence, the cause(s) of the occurrence, how the occurrence was resolved, and the steps taken by the Permittee to minimize the occurrence from recurring.
	23. In accordance with 310 CMR 7.32, submit reports as required by the Massachusetts Clean Air Interstate Rule (CAIR).
Facility-wide	24. In accordance with the requirement in 310 CMR 7.00: Appendix C(10)(c), postmark or deliver by January 30 and July 30 for the previous six months respectively, a summary of all monitoring data and related supporting information to MassDEP.
	25. Postmark or deliver by January 30 the Annual Compliance Report to MassDEP and USEPA as required by General Condition 10 of this Permit. All reports must be certified by a responsible official as provided in 310 CMR 7.00: Appendix C(10)(h) and incorporated herein by reference.

Table 6	
EU #	**Reporting Requirements**
Facility-wide	26. Promptly report to MassDEP all instances of deviations from Permit requirements (including but not limited to fuel sulfur content emission limitations/standards) by telephone, fax or by e-mail at (nero.air@state.ma.us) within three business days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C(10)(f), incorporated herein by reference. Please also see General Condition No. 25 of this Permit.
	27. In accordance with 310 CMR 7.12, the Permittee shall accurately report the facility's air emissions on the Source Registration/Emission Statement Form, by April 15 of each year. The facility shall note any minor changes, which did not require Plan Approval (under 310 CMR 7.02, 7.03, etc.) therein.
	28. All required reports must be certified by a responsible official as provided in 310 CMR 7.00:Appendix C(10)(h) incorporated herein by reference.
	29. In accordance with 310 CMR 7.71(5), by April 15th, 2010 and April 15th of each year thereafter, report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO_2e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry (State only requirement).
	30. In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by MassDEP or the registry (State only requirement).
	31. In accordance with 310 CMR 7.71(7), by December 31 of the applicable year, submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report (State only requirement).

C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

Table 7

Regulation	Reason
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Not more than 250 commuters.
310 CMR 7.27	Superseded by 310 CMR 7.28 and 7.32.
310 CMR 7.28: NO_x Allowance Trading Program	As of January 1, 2009, this regulation is no longer applicable; it was superseded by 310 CMR 7.32.
42 U.S.C. 7401, §112(d)	For Hazardous Air Pollutants, the facility is shielded from major source requirements only.

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to and shall comply with the following special terms and conditions that are not contained in Tables 3, 4, 5, and 6:

Table 8	
	Special Terms and Conditions
EU2	1. In accordance with Approvals MBR-94-COM-056 and MBR-01-COM-029, the Permittee may exceed the twelve (12) month operating hour/fuel restriction cap during power supply emergencies that impact the reliability of electric supply to the New England power grid, as defined by NE ISO's Operating Procedure 4, Steps 11, 12, 13 or 14 and Operating Procedure 7. The Permittee shall record the actual time and date of the power supply emergency as invoked by NE ISO, and shall record the hours of operation and fuel combusted in excess of the approved limits. The Permittee shall submit the above records and written NE ISO confirmation that an emergency condition existed documenting that the Permittee was required to operate to MassDEP in the next required periodic report. All hours of operation and fuel quantities consumed will be factored into the calculation of the twelve (12) month rolling average of actual emissions, however the Permittee will specifically identify fuel quantities consumed during any power supply emergency condition that occurs as described herein.
	2. In accordance with Approvals MBR-94-COM-056 and MBR-01-COM-029, if at any time that the carbon monoxide (CO) catalyst, designated as Pollution Control Device 1 (PCD1), is not operational, the Permittee shall notify MassDEP in writing within seven (7) days of PCD1 inoperability, detailing the reason(s) why it is not operational, the duration of the inoperability, and the steps taken by the Permittee to restore PCD1 to operation. In the event that PCD1 is not available for service, the Permittee may combust distillate fuel oil having a sulfur content of not more that 0.3 percent by weight for the duration of the inoperability of PCD1. Should the Permittee exhaust its annual fuel limit of distillate oil, the Permittee may combust distillate fuel oil having a sulfur content of not more than 0.3 percent by weight when PCD1 is inoperable only if the Permittee is under a power supply emergency as defined by NE ISO, Operating Procedure 4, Steps 11, 12, 13 or14 and Operating Procedure 7. The Permittee shall report in writing to MassDEP within seven (7) days of the power supply emergency, the date and time of the emergency and the number of gallons above the distillate fuel cap combusted. In addition, as part of said written report, the Permittee shall provide written NE ISO confirmation that an emergency condition existed documenting that the Permittee was required to operate.
	3. Massachusetts CO_2 Budget Trading Program, 310 CMR 7.70 The Permittee is subject to the Massachusetts CO_2 Budget Trading Program, 310 CMR 7.70 and shall comply with all applicable requirements therein.
EU1 EU2	4. Emission units are subject to Massachusetts CAIR, 310 CMR 7.32 and shall comply with Massachusetts CAIR, 310 CMR 7.32, and the Permittee has submitted a Massachusetts CAIR emission control application pursuant to 310 CMR 7.32(3). The methods of NO_x emission rate and heat input monitoring for the units are summarized in **Table A** below. The methods of net electric output monitoring for the Permittee are summarized in **Table B** below.

Table 8	
	Special Terms and Conditions
EU1 EU2	5. The quality assurance/quality control procedures and the methods for determining net output contained in the Permittee's net output documentation must continue to meet all applicable requirements in **Table C** below.
	6. As per 310 CMR 7.00: Appendix B(4)(f), MassDEP has determined that Approval MBR-94-COM-056 shall be renewed. As such, the Permittee shall continue to demonstrate NO_x emission compliance through NO_x emission averaging "bubble" of Emission Units EU1 and EU2.
Facility-wide	7. Should any nuisance condition be generated at the facility, then appropriate steps shall immediately be taken to abate said nuisance condition(s) (State only requirement-310 CMR 7.01 General Regulations to Prevent Air Pollution).
	8. The Permittee shall not permit any dust or odor operations to cause or contribute to a condition of air pollution (State only requirement-310 CMR 7.09 Dust, Odor, Construction, and Demolition).

Table A: Description of **Unit(s) and Emission and Heat Input Rate** Monitoring Methodologies

Unit ID#	Programs:	Unit or Boiler Type	Fuel Primary/ Secondary	NO_x Emission Rate Monitoring Methodology	Heat Release Monitoring Methodology
1	SUBH	CT	PNG/DSL	LME Generic Default	LTFF
2	SUBH	CT	PNG/DSL	LME	LTFF

Table A Notes:

SUBH – Massachusetts CAIR Program following 40 CFR 75 Subpart H;
CT – combustion turbine;
PNG – pipeline natural gas;
DSL – diesel oil (units combust No. 2 oil, No. 1, or a blend of the two oils);
LME Generic Default – Low Mass Emission generic default NO_x value from 40 CFR 75 Table LM-2, PNG = 0.7 lbs NO_x/MMBtu and Oil = 1.2 lb NO_x/MMBtu;
LME – Low Mass Emission fuel-and-unit-specific or default NO_x value in lbs NO_x/MMBtu;
LTFF – Long Term Fuel Flow methodology for PNG and DSL.

The methods for determining NO_x emission rate, heat input and hourly NO_x mass emissions contained in the Permittee's monitoring plan meet the requirements of 310 CMR 7.32.

Table B: Description of **Net Electric Output** Monitoring Methodology

Unit ID#	Net Output Meters	Meter Types	QA/QC Procedure	Net Electric Output (E_{net}) Determination
1	BM1	Billing	OP18	$E_{net} = E1_{net} + E2_{net}$
2	$BM2_{Out}$	Billing[2]	OP18	Where:
	$BM2_{SSGC}$	Billing[2]	OP18	$E1_{net} = BM1 – SS1$
	SSO	Non-Billing	ANSI C.12	$E2_{net} = BM2_{Out} – (SSO + BM2_{SSGC} + SS2)$
				And:
				SS1 = 0.04 MWh * U1OH
				SS2 = 0.35 MWh * U2OH

Table II Notes:

BM1 – Gross generation meter for Unit 1;

$BM2_{Out}$ – Gross generation minus normal operation Gas Compressor usage for Unit 2[1];

SSO – Oil heater meter for Unit 2;

$BM2_{SSGC}$ – Gas compressor electrical usage at initial startup of Unit 2 measured by meter BM2[2]

SS1 – General station service for Unit 1 house and parasitic load;

SS2 – General station service for Unit 2 house and parasitic load;

U1OH – Operating hours during month or ozone season for Unit 1;

U2OH – Operating hours during month or ozone season for Unit 2;

OP18 – NEPOOL Operating Procedure 18 or its successor;

ANSI C.12 – ANSI Procedure C.12 or its successor on a biennial frequency.

[1] Unit #2 supplies electricity for operation of the Gas Compressor (if the Compressor is placed into service) and this electricity is diverted upstream of the BM2 meter. Note, however, at initial startup, before Unit #2 has begun generating, the Gas Compressor briefly gets its electricity from the grid (see Footnote 2 below).

[2] The two designations, $BM2_{out}$ and $BM2_{SSGC}$, refer to a single meter (BM2) configured with two separate registers: (1) $BM2_{out}$ records electrical output from Unit #2 to the grid, minus any diversion to operate the Gas Compressor; and (2) $BM2_{SSGC}$ records electricity coming from the grid for operation of the Gas Compressor for the brief period at initial startup before Unit #2 has begun generation. BM2 is classified as a Billing Meter because Unit #2's electrical output readings are transmitted to MMWEC, which in turn submits this data to ISO NE for billing purposes. This meter is calibrated in accordance with OP18 by an outside contractor.

The quality assurance/quality control procedures and the methods for determining net output contained in the Permittee's net output documentation must continue to meet all applicable requirements.

Table C. Quality Assurance/Quality Control	
Unit #	Emissions Monitoring System Requirements
EU1 EU2	1. Notification of QA testing is required for Relative Accuracy Test Audits (RATAs) and Appendix E/LME (Low Mass Emission) unit tests. Notification must be made at least 21days prior to the scheduled test date to the EPA as required by 40 CFR 75.61, and to the MassDEP Regional office, Attn: BWP Permit Chief. If tests must be rescheduled, 24 hours notice must be given, as specified in 40 CFR 75.61(a)(5).
	2. A previously approved protocol may be referenced at the time of test notification provided that the referenced protocol was completed in accordance with current 40 CFR 75 procedures, addresses all previous MassDEP protocol comments to the satisfaction of the MassDEP, and none of the information has changed. If a revised protocol must be submitted, it must be submitted at least 21 days prior to the scheduled test date.
	3. A hardcopy of the QA RATA or Appendix E/LME test results must be submitted to MassDEP Regional office, Attn: BWP Permit Chief, within 45 days of completion of tests. The electronic results must be submitted in the quarterly electronic data report (EDR).
	4. Results from Appendix E/LME tests must be reported electronically in the EDR submittal for the quarter in which the testing occurs.
Output System	Output System Requirements
Electric Meters	5. In the case where billing meters are used to determine output, no QA/QC activities beyond those already performed are required. To qualify as a billing meter, the measurement device must be used to measure electric or thermal output for commercial billing under a contract. The facility selling the electric or thermal output must have different owners from the owners of the party purchasing the electric or thermal output. Any electric or thermal output values that the facility reports must be the same as the values used in billing for the output.

REVISIONS TO EMISSION CONTROL PLANS AND/OR TESTING PROTOCOLS

If the Permittee proposes a change to the approved emissions monitoring methodologies as described in Table C, then a revised emissions monitoring plan must be submitted to MassDEP prior to making the modification. If the Permittee proposes a change to the approved net output monitoring methodologies, as described in Table B, then revised net output documentation must be submitted to MassDEP prior to making the modification. MassDEP will then modify the emission control plan upon approval of the revised emissions monitoring plan and/or net output documentation.

If the Permittee makes any change to the approved monitoring plan or to the information contained in the net output documentation, then MassDEP must be notified of the change. Monitoring plan changes must also be explained in either the quarterly electronic data report or through the submittal to MassDEP of the revised monitoring plan.

Proposed changes to the emission monitoring plans and/or net output documentation and proposed changes to the test protocol for future Appendix E/LME tests, should be sent for MassDEP review at least 21 days prior to the date of the commencement of testing to: MassDEP, Northeast Regional Office, 205B Lowell Street, Wilmington, MA 01887, Attn: BWP Permit Chief

6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its Operating Permit Application.

7. EMISSIONS TRADING

A. INTRA-FACILITY EMISSION TRADING

The Permittee did request intra-facility emissions trading in its Operating Permit Application.

B. INTER-FACILITY EMISSION TRADING

The Permittee did not request inter-facility emissions trading in its Operating Permit Application.

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable requirements that become effective during the Permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. COMPLIANCE CERTIFICATION

All documents submitted to MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Reporting Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via MassDEP's web site, http://www.mass.gov/dep/air/approvals/aqforms.htm#op.

A. Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this Operating Permit. The report shall be postmarked or delivered by January 30 to the MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

1) the terms and conditions of the Permit that are the basis of the certification;
2) the current compliance status and whether compliance was continuous or intermittent during the reporting period;
3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4) any additional information required by the MassDEP to determine the compliance status of the source.

B. Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 and July 30 to the MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

1) the terms and conditions of the Permit that are the basis of the certification;
2) the current compliance status during the reporting period;
3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
4) whether there were any deviations during the reporting period;
5) if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
6) whether deviations in the reporting period were previously reported;
7) if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
8) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
9) any additional information required by the MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a Permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for Permit termination or revocation, or for denial of an Operating Permit renewal application by MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

12. PERMIT SHIELD

A. This facility has a permit shield provided that it operates in compliance with the terms and conditions of this Permit. Compliance with the terms and conditions of this Permit shall be

deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this Permit.

Where there is a conflict between the terms and conditions of this Permit and any earlier approval or Permit, the terms and conditions of this Permit control.

B. The MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.

C. Nothing in this Permit shall alter or affect the following:

1) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
2) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
3) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A

All other terms and conditions contained in this Permit, including any provisions designed to limit a facility's potential to emit, are enforceable by MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

14. PERMIT TERM

This Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date 5 years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this Permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

15. PERMIT RENEWAL

Upon MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event MassDEP has not taken final action on the Operating Permit renewal application prior to this Permit's expiration date, this Permit shall remain in effect until MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

This Permit may be modified, revoked, reopened, and reissued, or terminated for cause by MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's Operating Permit for cause. MassDEP will reopen and amend this Permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an Operating Permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any Operating Permit condition.

17. DUTY TO PROVIDE INFORMATION

Upon MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to MassDEP copies of records that the Permittee is required to retain by this Permit.

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the Permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft Permit.

The Permittee shall promptly, on discovery, report to MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

This Permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the Permit is necessary and provided that a written agreement containing a specific date for transfer of Permit responsibility, coverage and liability between current and new Permittee, has been submitted to MassDEP.

20. PROPERTY RIGHTS

This Permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of MassDEP, and EPA to perform the following:

A. enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;

B. have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

C. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

D. Sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the Operating Permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)(12).

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the Permit, including any amendments or attachments thereto, upon request by MassDEP or EPA.

23. SEVERABILITY CLAUSE

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based[1] emission limitations specified in this Permit as a result of an emergency[2]. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;

B. the permitted facility was at the time being properly operated;

C. during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and

D. the Permittee submitted notice of the emergency to the MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

Deviations are instances where any Permit condition is violated and not reported as an emergency pursuant to section 24 of this Permit. Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements

[1] Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

[2] An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

listed in Table 6. of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to MassDEP's Regional Bureau of Waste Prevention the following deviations from Permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

A. Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.

B. Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the Permit or approval as surrogate for an emission limit.

C. Exceedances of Permit operational limitations directly correlated to excess emissions.

D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.

E. Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via MassDEP's web site, http://www.mass.gov/dep/air/approvals/aqforms.htm#op.
This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone, fax or electronic mail (e-mail), within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the Permit and in compliance with all applicable requirements provided the Permittee gives the EPA and MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's Permit. The Permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

A. Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

B. Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2.,provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).

C. Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).

D. No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this Operating Permit. A revision to the Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

28. OZONE DEPLETING SUBSTANCES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

A. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

1) All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a

class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.

2) The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.

3) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.

4) No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.

B. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:

1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.

2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.

3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

4) Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.

5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.

6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

C. If the Permittee manufactures, transforms, imports or exports a class I or class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part82, Subpart A, "Production and Consumption Controls".

D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP)

promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

29. PREVENTION OF ACCIDENTAL RELEASES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.